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## CHAPTER 22 – EVENTS

### ARTICLE I. PURPOSE, SCOPE, DEFINITIONS.

#### Section 22-1. – Purpose.

Events are an important part of Scottsdale's economic and community well-being. They provide organized activities for residents and visitors. Regulation of events is essential to ensuring success and managing impacts.

#### Section 22-2. – Scope.

- (a) Events that occur on city property, or on public or private property impacting adjacent properties, are allowed with a permit as required under this Chapter
- (b) Events held entirely on non-city, public or private properties that do not impact adjacent properties are regulated under this Chapter, but do not require a permit.
- (c) Events occurring entirely at WestWorld are exempt from the provisions of this ordinance.
- (d) Specific application and procedural requirements for obtaining a permit at the following locations are exempt from Articles IV to VI of this Chapter:
  - (1) Events occurring entirely within City of Scottsdale public park facilities;
  - (2) Events occurring entirely within the McDowell Sonoran Preserve;
  - (3) Events occurring entirely at Scottsdale Stadium; and
  - (4) Events occurring entirely at Scottsdale Mall.
- (e) This article shall not apply to events presented, in whole or part, by the City of Scottsdale.

#### Section 22-3. – Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the following meanings, except where the context clearly indicates a different meaning:

*Amplified sound equipment* means an amplified speaker, public address system, amplification system, or other amplified sound producing device.

*Applicant* shall mean any person or organization who seeks a permit or application approval from the city to conduct an event governed by this Chapter. An applicant must be eighteen (18) years of age or older.

*Concessions* mean the sale of food, beverage, alcohol, merchandise and convenience items.

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*Demonstrations* mean an organized event having as its primary purpose expressive activity such as speechmaking, picketing, protesting, marching or debating.

*Events* are a temporary activity or series of temporary activities, whether held for profit, nonprofit, or charitable purpose, and the primary activity promotes awareness or education, entertainment, community celebrations and festivals, recreation or other unique experiences.

*Events administrator* is the city employee, or city employees, designated by the City Manager to administer the provisions of this chapter.

*Impact* shall mean to impede, obstruct, impair, or interfere or disrupt normal use of city property and facilities, adjacent properties and neighborhoods, or vehicular or pedestrian traffic.

*Legacy event* is an event that has been held in the City of Scottsdale in substantially the same form for a minimum of 20 consecutive years, and is designated by the City Council as such.

*Temporary* shall mean occurring no more than 10 consecutive days or 24 total days per calendar year.

### **ARTICLE II. EVENT CRITERIA AND LIMITS.**

#### **Section 22-4. – Event Criteria.**

Any applicant must demonstrate that the proposed event meets the established criteria:

- (a) Events requiring a permit promote awareness or education, entertainment, community celebrations and festivals, recreation or other unique experiences;
- (b) The event's impacts on attendees and the public are mitigated, in regard to;
  - (1) Traffic;
  - (2) Noise;
  - (3) Parking;
  - (4) Security;
  - (5) Public health;
  - (6) Restroom facilities;
  - (7) Trash control; and
  - (8) Public safety.
- (c) The size, magnitude, attendance or nature of the event is suitable for the proposed location and duration;

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- (d) The proposed location and duration of the event is suitable for the city to accommodate the event with necessary city resources;
- (e) The frequency or timing of the proposed event, or event in conjunction with other events, does not cause conflict with or negatively impact another event, especially a legacy event;
- (f) The event does not unduly affect or conflict with nearby businesses or residents;
- (g) The applicant's ability to successfully carry out the proposed event, including demonstrating, if applicable, a past record of successful event performance;
- (h) The event complies with the requirements of this chapter.

### **Section 22-5. – Event Limits.**

Events may occur for no more than 10 consecutive days or 24 total days per calendar year. Events exceeding the limits prescribed require City Council approval.

## **ARTICLE III. EVENT IMPACTS.**

### **Section 22-6. – Event Permits Required.**

- (a) An event permit and payment of any fees as established by City Council are required when an event impacts city or adjacent properties, as follows:
  - (1) Impacts a city street, sidewalk, alley, walkway, parking, or other city public right-of-way; or
  - (2) Is inconsistent with the permanent and legal use to which the property may be used, or the occupancy levels permitted on the property; or
  - (3) Involves the use of any city services that would not be necessary in the absence of such an event; and
  - (4) Includes one of the following, unless otherwise exempted under Section 22-7:
    - (a) Set up of temporary structures including, but not limited to, tents, stages, or fences;
    - (b) Amplified sound equipment as defined within Section 22-3; or
    - (c) Consumption or sale of concessions as defined within Section 22-3.

### **Section 22-7. – Event Permit Not Required.**

- (a) An event permit shall not be required when an event does not meet Section 22-6 (a) items 1-3. The applicant is required to complete a simplified event application and pay any fees as established by City Council, which must be approved or denied in writing by the events administrator.

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- (b) Demonstrations. A permit shall not be required for demonstrations conducted in a manner that does not unduly disrupt or inconvenience the public in the use of property involved. The organizer of a demonstration is encouraged to give as much advance notice as reasonably possible to the events administrator.

**Section 22-8. – Additional Regulation; Governing Use of City-Owned Properties.**

Events held on city property must be available to the general public. Available to the general public does not mean that the event is free; a participant, admission or ticket fee may be charged.

**ARTICLE IV. APPLICATION PROCEDURES; TIMEFRAMES; CRITERIA.**

**Section 22-9. – Application Procedures; Timeframes.**

- (a) Event Form; Information. All requests to hold events shall be made on either the standard event permit application or simplified event application forms as prescribed by the city and shall include the following information:
  - (1) Type and description of the event;
  - (2) Name of the applicant and the applicant's contact person, and such contact person's address, email address, and telephone number;
  - (3) Services requested from police, fire, public services, and other city departments or divisions;
  - (4) Proposed date of the event, together with beginning and ending times;
  - (5) Proposed location, including site plan, and route map;
  - (6) Estimated numbers of event staff, participants, and spectators;
  - (7) Whether the event is free to the public, or fees are to be charged for participants or spectators;
  - (8) Signature of the applicant;
  - (9) The applicant must collect and submit with the application form comments or concerns to any street closure from nearby neighbors and/or businesses whose vehicular access to their property is affected by such street closure;
  - (10) If the application is for an activity on private property, the property owner shall sign the event application. Alternatively, an agent of the property owner may sign the event application with the property owner's authorization.

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- c) Obtain from the City. A standard event permit application or simplified event application may be obtained from the city's website, Tourism and Events Department or events administrator.
- d) Event Submission; Time Limit: Event applicants shall submit completed applications to the city at least 60 calendar days for events with street closures and 30 days for all others before the event is scheduled to occur, in order to give the city sufficient time to process the application and to allow timely appeal if the application is denied. Applications submitted fewer than the required 60 or 30 calendar days before the event is scheduled to occur may be denied unless the applicant demonstrates to the events administrator that compliance within the 60 or 30 day deadline was impractical or impossible. The applicant shall include with the event application all documents required by this Section and pay all applicable fees.
- e) Multiple Jurisdictions: Event permit applications that cross or involve multiple governmental jurisdictions shall be approved only if the applicant also obtains formal authorization from all relevant governing bodies.

### **Section 22-10. – Application Processing; Timeframes.**

- (a) Application Review Timeframe. The overall time frame to review a standard event permit application is 30 calendar days. The overall time frame to review a simplified event application is 15 calendar days.
- (b) Receipt of Application; Administrative Review Timeframe. The events administrator shall respond to the applicant within five working days from the receipt of the application and will note whether the application is administratively complete or deficient. If the city does not issue a notice of administrative completeness within five working days, the application is deemed administratively complete. If the city issues a notice of administrative deficiencies, the administrative completeness review timeframe is suspended from the date of the notice until the city receives the missing information from the applicant.
- (c) Approval of Administratively Complete Application. Upon determining that the application is administratively complete, the events administrator shall meet with and/or circulate copies of the application to the appropriate city departments and divisions for the purpose of obtaining their approval or recommendation of denial of the application.
- (d) Considerations. In reviewing an application, the city departments and divisions involved shall consider and make decisions on applications, including permit conditions, based on the factors required of applicants in Section 22-4.
- (e) Requirements. The events administrator will notify an approved applicant that, prior to the issuance of the event permit, two additional requirements must be reviewed and approved:
  - (1) Barricade Plan; and
  - (2) Insurance as prescribed in Section 22-12.

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- (f) Additional Requirements, Terms or Conditions. The events administrator or the departments or divisions involved in reviewing an application may make a request for corrections during the substantive review timeframe. By mutual written agreement, electronic or otherwise, the city and the applicant may agree to extend the substantive review and overall timeframe.
- (g) Application Withdrawn; Withdrawal. An applicant may withdraw the application prior to the issuance of an approval or denial. The city may consider an application withdrawn if the applicant fails to provide requested information or explanation of why the information cannot be provided within the specified time period of fifteen calendar days.
- (h) Event Cancellation. An applicant shall notify the events administrator immediately, once known, if an approved or permitted event will no longer occur.
- (i) Intentional Misrepresentations. If the applicant intentionally makes a material misrepresentation on an application for an event permit, such as a significant understatement of the anticipated number of participants, the applicant shall be liable to the city for any and all costs incurred by the city as a result of the misrepresentation and the applicant shall not be allowed to receive another event permit or approval from the city unless otherwise determined by the City Manager or Tourism and Events Department Director. The city reserves the right to pursue other legal remedies against the applicant as a result of the misrepresentation.

### **Section 22-11. – Permit and Application Fees.**

- (a) Fee. Each initial application shall be accompanied by a nonrefundable fee as approved by the City Council. Fees are not solely to defray administrative costs.
- (b) City Support Services. City support services shall be provided for events as determined by the city to protect the health and safety of the public, at cost as approved by the City Council, payable by the applicant.
- (c) Police, Fire, and Traffic Crowd Control. The organizer shall provide police and fire protection and traffic crowd control to the extent determined by the police chief, the fire chief, or their designees, and shall pay the event fees as approved by the City Council.
- (d) Exempt from Fees. Demonstrations shall be exempt from the fees set forth in this Section.

### **Section 22-12. – Permit or Application Approval Issuance.**

- (a) Simplified Event Application Approval; Issuance of Approval. A completed simplified event application shall be approved and a written approval issued to the applicant by the events administrator upon approval by all affected departments and divisions in accordance with the provisions of and in compliance with the requirements of this chapter. The events administrator shall notify all affected departments and divisions of approved simplified event applications issued pursuant to this chapter.

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- (b) Standard Event Permit Application Approval; Issuance of Permit. A completed event permit application shall be approved and an event permit shall be issued to the applicant by the events administrator upon approval by all affected departments and divisions in accordance with the provisions of and in compliance with the requirements of this chapter. The events administrator shall notify all affected departments and divisions of all event permits issued pursuant to this chapter.
- (c) Conditional Issuance. The events administrator may condition the issuance of an events permit on the applicant satisfying conditions. Any conditions imposed on an applicant should be reasonable and necessary to ensure the health and safety of event participants and other people and/or to meet the requirements in Section 22-4. For example, the events administrator may require that the applicant provide adequate restroom facilities or security, or post a bond for clean up or other costs.
- (d) Dispersal of Event. The chief of police may disperse an event that is being conducted in a manner inconsistent with the conditions of the event permit, or if the event is in violation of any federal, state, or local law.
- (e) Additional Permits. The applicant shall be required to obtain any and all additional permits required to conduct the event or related activities, including but not limited to the following:
  - (1) Structural / building permit;
  - (2) Fireworks permit;
  - (3) Electrical permit.
  - (4) Tent permit.
  - (5) Special Event Liquor License

### **Section 22-13. – Permit; Liability Insurance.**

Certificate of Insurance. No event permit shall be issued unless and until the applicant has submitted to the events administrator a certificate of insurance, showing the city as an additional insured on a commercial general liability and property damage occurrence policy issued by an insurance company authorized to do business in the State of Arizona, showing coverage for the event in the amount required by the Risk Management Director.

### **Section 22-14. – City Liability.**

By issuing an event permit, the city makes no guarantees and assumes no liability for the safety of participants in or spectators of an event.

### **Section 22-15. – Permit Revocation.**

- (a) A permit may be revoked by the Tourism and Events Department Director or City Manager designee for any of the following reasons:

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- (1) Failure to conduct the event as presented on the application;
- (2) Failure to comply with terms and conditions of the permit;
- (3) The event poses a threat to public health or safety;
- (4) Declaration of a state of emergency.

### **Section 22-16. –Permit Denial, Appeal of Denial, Revocation, or Special Condition.**

- (a) Reasons for Denial Specified. If an event permit application is denied or revoked by the city, the events administrator shall notify the applicant in writing of the action, including:
  - (1) Explanation of the applicant's right to appeal the action;
  - (2) Grounds for denial or revocation, including any citations to applicable Code provisions;
  - (3) If a denial of a permit, an explanation of the right to resubmit the application, the total amount of fees that would be assessed if the application is resubmitted, and how these fees are calculated.
- (b) Appeal. An applicant may appeal a denial, revocation, or special condition to the City Manager, based on the following:
  - (1) The appeal shall be filed within 10 calendar days from the date of the permit or the condition of the permit decision;
  - (2) An appeal shall include the specific reasons for the appeal and any supporting documents;
  - (3) The City Manager, or designee, will make a decision on the appeal within 10 calendar days of receiving the appeal.
  - (4) The City Manager, or designee, may uphold, revoke, or modify a permit.
  - (5) The City Council may be petitioned for review of the decision of the City Manager, or designee.

## **ARTICLE V. ENFORCEMENT.**

### **Section 22-17. – Authority.**

The City Manager, City Attorney, Tourism and Events Department Director, code inspectors, Scottsdale fire chief or designee, and Scottsdale police officers shall enforce this chapter.

### **Section 22-18. – Violation; Penalty.**

Failure to obtain an event permit as required by this chapter may result in enforcement action by the city which may include a fine of up to \$1,000 per violation. In its discretion, the city may stop



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an event that has not been issued an event permit and may issue citations where event staff or participants violate other state statutes or city ordinances, including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

### **ARTICLE VI. IMPLEMENTATION.**

Policies, Rules and Procedures. The City Manager or Tourism and Events Department Director may adopt policies, rules, and procedures with respect to the implementation of this chapter.